

# **Exhibit 13**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -x  
KEITH FISCHER, MICHAEL O'SULLIVAN, JOHN MOESER,  
LOUIS PIA, THOMAS BARDEN, CONSTANCE MANGAN,  
and CHARISE JONES, individually and on behalf of  
all others similarly situated,

Plaintiffs,

-against-

Case No.:  
23-Civ-02848 (GRB) (ARL)

GOVERNMENT EMPLOYEES INSURANCE COMPANY d/b/a  
GEICO,

Defendant.

- - - - -x

December 13, 2024  
9:31 a.m.

EXAMINATION BEFORE TRIAL of GERRY CASSAGNE, a  
Non-Party Witness herein, taken by the  
Plaintiffs, held via Zoom, pursuant to Subpoena,  
taken before DANIELLE DEYOUNG, a Shorthand  
Reporter and Notary Public in and for the State  
of New York.

MAGNA LEGAL SERVICES  
(866) 624-6221

G. CASSAGNE

Q Do the essential functions one through ten describe your job duties as a field supervisor?

A Yes.

Q I am going to ask you about number eight, which reads:

"Prepares business plans, staffing, projections and budgets, requisitions, supplies and materials necessary for sufficient operation, reviews, plans and budgets periodically to achieve cost reduction where possible."

Did I read that correctly?

A Yes.

Q What does business plans refer to, if you know?

A As a field supervisor I did not prepare business plans, requisitions. We met with our manager to come up with a business plan usually on a yearly basis, but the business plan was written by the manager and prepared by the manager and sent in by the manager. We just were

G. CASSAGNE

there meeting with them to go over things that he could put into the business plan.

Q What went into the business plan?

A I can't tell you. I wasn't privy to everything that goes into that business plan.

Q Do you recall meeting with your manager to discuss a business plan?

A Yes.

Q How many times?

A Once yearly -- or a couple times yearly we would have planned meetings to go over different things that, as a field supervisor, we would be able to help and say this is what's going on and whether it's staffing or cases or whatever. That's the input that we had.

Q Do you remember any other conversations that you had at any of those other meetings?

A They were a long time ago. There was like, again, yearly meetings, so lots of conversations.

G. CASSAGNE

Q Do you remember any conversations that you had with your manager at any of these planning meetings concerning staffing?

A Yes.

Q How would those conversations go?

MR. TSONIS: I am going to object. What time period are you talking about?

MS. COLE-CHU: I didn't hear the objection.

MR. TSONIS: What time period are you talking about?

BY MS. COLE-CHU:

Q The time period of this case, Gerry, is July 22, 2016 through the present. I understand that you left in April 2023. So the focus of my questions are going to be on that time period, from July 2016 through April 2023. Going forward, that will be the focus of my questions. Does that make sense?

A Yes.

G. CASSAGNE

Q So of the planning meetings that you recall attending during that time period, I'm curious as to what you recall about the conversations related to staffing that you had with your manager. Can you tell me about those?

A It was related to whether staffing needed to be increased or staffing was good, but again, that's decisions made by the manager and above.

Q You ultimately did not have any control over that?

A No, I did not.

Q What would lead you to a recommendation that staffing be increased or not increased?

A People retiring, people leaving the company. If we thought the teams were getting low and we needed more staffing, it would be regarding -- you know, can we bring in a couple extra guys or whatever to handle cases. Depending on caseload, depending on, like I said, retirement and people getting

1 G. CASSAGNE  
 2 A Yes.  
 3 Q Does this document reflect  
 4 what you understood to be GEICO's  
 5 expectations of you as an SIU supervisor?  
 6 A Yes.  
 7 Q I would like to direct you to  
 8 2E towards the bottom of page one, Case  
 9 Reviews. You gave some testimony today  
 10 already about reviewing cases and my  
 11 question is --  
 12 Well, first off, I will read  
 13 it for the record. It says:  
 14 "Case Reviews: Meet monthly  
 15 case review and SPR expectations spread  
 16 evenly throughout the month to benefit  
 17 the associates."  
 18 Did I read that correctly?  
 19 A Yes.  
 20 Q What does it mean to "meet  
 21 monthly case review and SPR  
 22 expectations"?  
 23 A I believe this was us  
 24 reviewing cases --  
 25 "Spread evenly throughout the

1 G. CASSAGNE  
 2 month to benefit the associate" --  
 3 "Meet monthly case review and"  
 4 --  
 5 I believe it was us monitoring  
 6 the cases to make sure they were spread  
 7 evenly throughout the month to the  
 8 associates.  
 9 Q Does that mean that the cases  
 10 were assigned in a staggered fashion to  
 11 investigators?  
 12 MR. TSONIS: Objection,  
 13 foundation, calls for speculation.  
 14 It's the language.  
 15 BY MS. COLE-CHU:  
 16 Q If you understand, Gerry, you  
 17 can go ahead and answer.  
 18 A Cases were assigned to  
 19 investigators in a rotation basis, but  
 20 they were assigned specifically regarding  
 21 the cases they were assigned to or the  
 22 team they were assigned to. So some  
 23 investigators would get a certain amount  
 24 of cases, regarding the team they were  
 25 in, and other investigators would get

1 G. CASSAGNE  
 2 other cases, regarding the team they were  
 3 in.  
 4 Q And is that what 2E is talking  
 5 about?  
 6 MR. TSONIS: Objection,  
 7 foundation, calls for speculation.  
 8 BY MS. COLE-CHU:  
 9 Q You can go ahead and answer,  
 10 Gerry, if you understand my question.  
 11 A I'm guessing that's what it  
 12 is, but it's a little bit broad.  
 13 Q What are SPR expectations?  
 14 A I believe that's the -- I  
 15 don't even know what SPR means.  
 16 Performance review, I guess -- yeah, a  
 17 performance review, so to make sure that  
 18 they were meeting their performance  
 19 review expectations.  
 20 Q Are the expectations outlined  
 21 in this document consistent, roughly,  
 22 from year to year during the time period  
 23 we are talking about, from 2016 to 2023  
 24 when you left the company?  
 25 MR. TSONIS: Objection, form,

1 G. CASSAGNE  
 2 foundation, calls for speculation.  
 3 You can answer if you  
 4 know.  
 5 A The expectations on certain  
 6 things stayed the same but on other  
 7 things changed, obviously, within time,  
 8 whether it's caseload, whether it was  
 9 case procedures or there were case  
 10 protocols, different things got added on,  
 11 different things were taken out.  
 12 Q Exhibit 1 was a job  
 13 description and this Exhibit 2 was a  
 14 document reflecting supervisor  
 15 expectations. Were you involved in the  
 16 creation of either of those documents?  
 17 A Was I involved in the creation  
 18 of this document, you're asking me?  
 19 Q Either of these documents,  
 20 Exhibit 1 or Exhibit 2?  
 21 A No.  
 22 Q Were you involved in training  
 23 special investigators?  
 24 A Yes.  
 25 Q Were you involved in reviewing

G. CASSAGNE

Q How often was it needed, in your recollection?

A After my review of what the investigator had or if the investigator needed an emergency, I would be on a case-by-case basis.

Q Was it a frequent occurrence?

MR. TSONIS: Objection to form.

You can answer.

A No.

Q If you were dealing with one of these situations that we are discussing now, otherwise the case assignments -- strike that.

How often did you communicate with your investigators that you supervised?

A Sometimes daily, sometimes weekly, depending on the need.

Q Did you regularly communicate with investigators?

A Yes.

Q How did you communicate with them?

G. CASSAGNE

A Either by phone or by -- however I needed to. Meetings.

Q How often did you have meetings?

A I tried to have weekly meetings or if not, then I would have them when necessary.

MR. TSONIS: Off the record.

(Whereupon, a recess took place at 10:30 a.m. and ended at 10:41 a.m.)

BY MS. COLE-CHU:

Q Gerry, before the break we were talking about meetings that you had with your investigators, and I believe you testified that you tried to have meetings weekly. Why was it important to meet weekly with your investigators?

A To update them on any new procedures, update them on any new types of cases that may be coming out, update them on any type of new fraud trends that we had, stuff like that.

Q What does fraud trends mean?

G. CASSAGNE

A If we identified any type of new fraudulent type of case, you know, if the bad guys are doing something with staging accidents or doing something with body shop fraud or something like that. So we try to keep them updated on all type of fraud trends.

Q Would you say you had a good relationship with your investigators?

A I hope I did.

Q Did you want your investigators to feel comfortable approaching you with questions?

A Absolutely, yes.

Q Did you want them to feel comfortable approaching you with any concerns that they had?

A Yes.

Q Did they approach you with questions and concerns, you know, in the course of their work?

A I believe they did, yes.

Q Would you consider the investigators that you worked with to be

G. CASSAGNE

hardworking?

A Yes.

Q And reliable?

A Yes.

Q Would you consider them trustworthy investigators?

A Yes.

MS. COLE-CHU: I am going to introduce Exhibit 3.

(Whereupon, Exhibit 3 was marked for identification.)

MS. COLE-CHU: Let me know when you have it in front of you. It's a longer document; it's 30 pages. So take a look through it. I am going to direct you to a specific section, but take your time going through it and let me know when you've done that.

I will note for the record this is document Bates number is G000161. It's titled: Employment Contents.

G. CASSAGNE

Q Immediately underneath "Fraud," just to confirm, that refers to productivity?

A Yes.

Q And audits refer to the audits we've been discussing, three a month that you had to perform?

A Yes.

Q And in this review, was your investigators performance weighted in your performance again like in prior years?

A Yes.

Q So like in prior years, your job performance was determined by your investigators performance?

A Yes.

MS. COLE-CHU: Okay.

Next is Exhibit 7. That should be appearing in the chat.

This is G010623.

(Whereupon, Exhibit 7 was marked for identification.)

G. CASSAGNE

BY MS. COLE-CHU:

Q Before you look at that, Gerry, I actually just have one question on the last document. I didn't ask you this.

Exhibit 6, the document we were just talking about, is that your 2019 performance evaluation?

A Yes.

Q Okay. Thank you.

Now go ahead and look at the new document and let me know when you are ready for me to ask you some questions about it.

A Got it. Thank you.

Q Again, this is Exhibit 7, G010623.

Gerry, is this your 2020 performance appraisal?

A Yes.

Q Who completed this appraisal?

A Bill Newport.

Q I am going to ask you a few questions about this paragraph on the

G. CASSAGNE

first page. Do you want a second to review it or are you ready for me to ask you some questions about it?

A Just give me a second to read it.

(Perusing).

Okay.

Q The first sentence reads: "Gerry managed a diverse team of field investigators that experienced an increase in workload and a change in how they complete their work."

Is it true, in your experience, that in 2020 you experienced an increase in workload?

A I believe so, yes.

Q And let me ask more specifically. Is it true that your investigators experienced an increase in workload in 2020?

MR. TSONIS: Objection, form, foundation.

BY MS. COLE-CHU:

Q You can go ahead and answer,

G. CASSAGNE

Gerry.

A Yes.

Q Can you tell me about that increase in workload, whatever you remember about it, when did it happen?

A I don't remember exactly. This is COVID time.

Q Yes. COVID hit March 2020.

A Right. So this was COVID time. So they definitely had an increase in caseload, but there were other factors built into that where the field work was taken away from them. So there was no field work being done. So windshield time was not included in that.

Q Couple questions. I believe you said there was an increase in workload around COVID. What do you attribute that to, if you know? Why was there an increase in workload around this time?

A I don't know specifically. I mean, it could be changing the volume of claims coming in, there could have been a

1 G. CASSAGNE  
 2 foundation, calls for speculation.  
 3 You can answer.  
 4 A It could be any, but this is  
 5 also for AD, which is the auto damage  
 6 people. So this is for both -- this is  
 7 for a couple of different units. So this  
 8 is not specific to SIU.  
 9 Q So is your answer, then,  
 10 you're not sure who "management" refers  
 11 to?  
 12 MR. TSONIS: Objection, form,  
 13 mischaracterizes testimony.  
 14 A Management, I believe, would  
 15 be supervisors and managers and above.  
 16 Q Looking down farther under the  
 17 FAQ, the third bullet point, and the sub  
 18 point underneath that specifically reads:  
 19 "Overtime has always been  
 20 available based on business need." What  
 21 do you understand business need to mean  
 22 here?  
 23 A If you need to do something  
 24 regarding your case -- or in this case, I  
 25 would assume AD do something, that was a

1 G. CASSAGNE  
 2 business need which was -- needed to be  
 3 done within the guidelines of the  
 4 company, then it would be approved  
 5 because it had to be done to handle  
 6 either the investigation or the case  
 7 correctly, to make sure things were done  
 8 according to protocols.  
 9 Q Is it true, then, that if  
 10 there was not a business need, overtime  
 11 was not available?  
 12 MR. TSONIS: Objection to form.  
 13 You can answer.  
 14 A No. Overtime was available if  
 15 the investigator explained to me why he  
 16 needed to do it on that specific case, it  
 17 would be approved.  
 18 Q Did you have discretion to  
 19 approve overtime however you saw fit as a  
 20 supervisor?  
 21 A I did not have the ability to  
 22 say -- like those ten hours a week thing,  
 23 it was preapproved ten hours a week per  
 24 investigator. I was able to tell my  
 25 investigators that if you are working on

1 G. CASSAGNE  
 2 a case and you run over your time and you  
 3 deem it necessary, you would just have to  
 4 send me the reason why and I would  
 5 approve it, based on the investigator's  
 6 information he sent to me on that  
 7 specific case.  
 8 MR. TSONIS: Now may be a good  
 9 time for a five-minute break,  
 10 whenever you're ready.  
 11 MS. COLE-CHU: Sure. I just have  
 12 a few more questions on this one and  
 13 then we can take a break.  
 14 Gerry, is that okay?  
 15 THE WITNESS: That's fine. Thank  
 16 you.  
 17 BY MS. COLE-CHU:  
 18 Q Going back up to the top of  
 19 the page, there's a bullet point that  
 20 reads: "Management must pay overtime  
 21 worked, even if the additional hours were  
 22 not authorized and follow the company's  
 23 progressive disciplinary process if  
 24 overtime work was not approved."  
 25 What can you tell me about the

1 G. CASSAGNE  
 2 progressive disciplinary process referred  
 3 to here?  
 4 A I don't know anything about  
 5 that. What we were told is if the  
 6 investigator worked the overtime, they  
 7 would get paid for it; they would just  
 8 have to send me documentation for why  
 9 they needed it on that specific case and  
 10 it would be approved.  
 11 Q Do you know if supervisors  
 12 were subject to discipline if they had an  
 13 investigator working off the clock?  
 14 A I was not. I don't know  
 15 anything about it.  
 16 Q Was the expectation generally  
 17 that investigators should complete their  
 18 work within the regular 38.75 hour work  
 19 week?  
 20 A The investigators were --  
 21 Can you ask that again?  
 22 Q Was it GEICO's expectation  
 23 that investigators should complete their  
 24 work within the regular 38.75 hour work  
 25 week?

G. CASSAGNE

unless it was a special situation, like the ten hours per week example that we've been talking about?

MR. TSONIS: Same objection.

You can answer.

A I did not have the ability to preapprove overtime ahead of time. It would have to be told to me that it was needed on that specific case at that specific time, yes.

Q And what do you mean, "at that specific time"?

A Well, if an investigator was in the field and he was coming to the end of his day and he had to finish up an interview or if he had to do something at a police station or the interview -- whatever, or the EUO ran over and he was running past his time, then he would contact me at the end of the day and say I had to work two hours today to finish what I needed to do on this case.

I would have him send me the information, I would say, fine, put it on

G. CASSAGNE

your timesheet, and I would approve it.

Q So it sounds like it had to be on a day-by-day basis, that you would approve overtime?

MR. TSONIS: Objection, form, mischaracterizes testimony.

You can answer.

A Yes, it was pretty much on a day-to-day basis. Yes.

Q And it was also in situations where the overtime had already been worked because -- you know, the example that you gave, they, you know, got stuck in the city maybe and worked two hours later, they let you know and then you permitted them to record the overtime?

MR. TSONIS: Objection, form.

You can answer.

A Yeah. Either -- sometimes I found out after the fact or sometimes they contacted me and said, I am on my way to this location, I have to finish this up, I am going to be stuck here for two hours, and I would say okay.

G. CASSAGNE

Q So what I understand you to be saying is if your investigators are telling you that they cannot perform all of the work within a 38.75 hour week and they need preapproval for overtime in order to complete their casework, you did not have the authority to grant that approval?

MR. TSONIS: Objection, form, mischaracterizes testimony, incomplete hypothetical.

You can answer.

A I can approve overtime on a case-by-case basis when needed.

Q My question was a yes or no question, and I believe in giving your answer, it's a no, but I can ask it again --

MS. COLE-CHU: Or Danielle, do you mind reading back the question that I asked?

(Whereupon, the requested testimony was read back by the reporter.)

G. CASSAGNE

MR. TSONIS: Objection, form, mischaracterizes testimony, incomplete hypothetical, asked and answered.

You can answer.

A I did not have the ability or authority to preauthorize overtime, correct.

Q Who did have that authority?

A My assumption would be Bill Newport or above -- or the manager at the time.

MR. TSONIS: Off the record. (Whereupon, a discussion was held off the record.)

MS. COLE-CHU: Exhibit 24 awaits. This is document Bates number G011603.

(Whereupon, Exhibit 24 was marked for identification.)

THE WITNESS: Got it.

BY MS. COLE-CHU:

Q Do you recognize this



1 G. CASSAGNE  
 2 to work overtime and they went ahead and  
 3 worked it, then that would become a  
 4 disciplinary action situation, and then  
 5 you would have to pay them for that work  
 6 time that they did and then deal with the  
 7 disciplinary action after that.  
 8 Q What was the disciplinary  
 9 action, if you know?  
 10 A I don't know. I've never had  
 11 to deal with it.  
 12 Q Let's go back to Exhibit 23;  
 13 that was the Lou Pia deposition  
 14 transcript.  
 15 A Okay. Go ahead.  
 16 Q Are you familiar with Siccum?  
 17 A Yes.  
 18 Q Do supervisors use Siccum when  
 19 managing caseload for investigators they  
 20 supervise?  
 21 A Siccum was the case management  
 22 system reporting system.  
 23 Q Did you use Siccum to -- when  
 24 you were supervising your investigators?  
 25 A Yes.

1 G. CASSAGNE  
 2 Q How did you use it when you  
 3 were supervising your investigators?  
 4 A You were able to review any  
 5 case, that's where you did your  
 6 approvals. You were able to see any of  
 7 the case pendings. You were able to read  
 8 any of the notes entered in any case. So  
 9 anything regarding that case  
 10 specifically, you were able to go in,  
 11 read it, prove it, close it, review it.  
 12 Q Does Siccum record the date  
 13 and time that a case is assigned to an  
 14 investigator?  
 15 A I believe it does, yes.  
 16 Q And is that the timestamp  
 17 that's used to measure case life?  
 18 A I believe when a case is  
 19 assigned, that's when the time starts for  
 20 case life, yes.  
 21 Q We talked today about the  
 22 system of assigning point values to  
 23 cases. Do you recall that conversation?  
 24 A Yes.  
 25 Q It was some cases had higher

1 G. CASSAGNE  
 2 point values than others?  
 3 A Yes.  
 4 Q Does Siccum regard the point  
 5 values?  
 6 A It's based on the level at  
 7 closing. So if it was a -- like we said,  
 8 it was a level one, you got one point for  
 9 it. You got a level two because there  
 10 was no field work -- I forgot -- it was a  
 11 .75, and then the other cases, the  
 12 computer check cases or social media were  
 13 .375, I believe.  
 14 Don't quote me on those  
 15 numbers. I think that's the way it  
 16 worked. So it was at the point when you  
 17 closed the case, that's how they were  
 18 recorded.  
 19 Q If we were to go into Siccum,  
 20 would we see what the levels were for the  
 21 case at closing?  
 22 A Yes.  
 23 Q And then would we also see the  
 24 point value associated with that level?  
 25 A No. It just had the level --

1 G. CASSAGNE  
 2 when it was assigned, it was given a  
 3 level, but the supervisors and the  
 4 investigator had the ability to change  
 5 that level based on their closing,  
 6 because it was assigned as a level one  
 7 field and if they didn't do a field work  
 8 on it, they could change that to a level  
 9 two -- or it had to be changed to a level  
 10 two. So the investigator could either do  
 11 that or the supervisor could do that.  
 12 Q Did those changes have to be  
 13 justified?  
 14 A No, just based on the  
 15 investigation.  
 16 Q Was checking that part of the  
 17 audit to make sure any change was  
 18 appropriate?  
 19 A Yes. Case level was, I  
 20 believe, part of one of the audit  
 21 guidelines, and it was also part of our  
 22 job to make sure that the right level  
 23 closing was there, so they got the right  
 24 amount responsible for that case, level  
 25 one, two or three.

G. CASSAGNE

Q Does Siccum record the date and time a case was closed?

A Yes.

Q Is that the other end of the case life metric? Is that the timestamp that's used to measure case life?

A Yes.

Q And after an investigator closes a case, what does that look like in Siccum? How do you know a case is closed?

A It just says the report was submitted and then you would have to go in, read the case, and then make sure that it was closed right. Then once I approved it, it would show up as closed.

There was some levels of cases that were automatically closed out supervisor approval. That was done on some of the lower level cases, they were closed automatically; that was just a system set up.

Q Does that field that we are talking about that says submitted or

G. CASSAGNE

closed, does that field have a name?

A It would just say case -- it would just say report submitted, you would open up the report, read the report, then I would hit approve. Then when you went back in, in the line where it said submitted, it would now say closed. Does that answer your question?

Q I'm wondering if it's like under -- like are those drop-down options or I'm wondering --

A When a supervisor approves it, he hits an approval button and then that turns it into a -- if it's closed. Now if it's a pending case, where it's not closed but he's just sending in the report that needs to be sent in during that timeframe, you know, entering a report --

Let's say he's just updating a report, it would still say report submitted. Then I would see it and then once I hit approve, it would not automatically go to closing, there was a

G. CASSAGNE

check box that had to be checked to say closed and once that check box was closed, then that made the case closed. But entering reports stayed as open.

Q When you're looking -- if you recall, I know it's been a few years. When you're looking at a case file in Siccum, what fields do you see?

A Well, there were tabs. So there were tabs for case law, there were tabs for events, there was tabs for EUOs. So you would open up each tab and then a note would be put in there regarding that specific event. So then an EUO note would be in there or a --

You know, so whatever tab you hit, you had to document specific -- to that specific tab.

Q Is there like a status field?

A Regarding what?

Q Associated with the case. So like if you pull up a case -- I don't know what it would say -- open --

A Yeah, it would say pending

G. CASSAGNE

or -- whether it would say report submitted, it would say closed, that was really the only status that it showed at that point.

Q So we've talked over the course of the whole day about investigative steps that investigators are expected to take on a given case, and my understanding -- and what I would like for you to confirm -- is that all of those steps are recorded in Siccum?

A Correct.

Q Are they typed notes or are there check boxes or drop-down menus?

A Some are check boxes, some are both, some you have to put another note in it or an explanation. So each tab had a specific way of documenting it. So each tab had some check boxes on it and then a note or no check boxes in it and just a note. So it was different per tab.

Q Do you know if that for typed notes, there's a field in Siccum that

Page 278

1G. CASSAGNE

2Does the number of cases assigned to an

3investigator determine how much work is

4required for those cases?

5A No.

6MR. TSONIS: No further

7questions. Thank you, Gerry.

8MS. COLE-CHU: I don't have

9anything further.

10MR. TSONIS: We will reserve to

11read and sign.

12(Whereupon, the

13examination of GERRY

14CASSAGNE was concluded at

154:54 p.m.)

16

17

18GERRY CASSAGNE

19

20

21Subscribed and sworn to

22before me on this \_\_\_\_ day

23of \_\_\_\_\_, \_\_\_\_\_.

24

25Notary Public

Page 279

1G. CASSAGNE

2I N D E X

3

4

5WITNESS EXAMINATION BY PAGE

6GERRY CASSAGNE Ms. Cole-Chu 4

7

8

9EXHIBITS DESCRIPTION PAGE

10Exhibit 1 Bates number G006751 24

11Exhibit 2 Bates number G007935 35

12Exhibit 3 Bates number G000161 53

13Exhibit 4 Bates number G010539 78

14Exhibit 5 Bates number G010601 86

15Exhibit 6 Bates number G010593 88

16Exhibit 7 Bates number G010623 91

17Exhibit 8 Bates number G010619 106

18Exhibit 9 Bates number G010614 115

19Exhibit 10 Bates number G010617 117

20Exhibit 11 Bates number G010611 124

21Exhibit 12 Bates number G007960 131

22Exhibit 13 Bates number G007975 141

23Exhibit 14 Bates number G010811 144

24Exhibit 15 Bates number G011437 155

25Exhibit 16 Bates number G011519 160

Page 280

1G. CASSAGNE

2I N D E X(Cont'd)

3

4

5EXHIBITS DESCRIPTION PAGE

6Exhibit 17 Bates number G012055 163

7Exhibit 18 Bates number G011584 169

8Exhibit 19 Bates number G011553 177

9Exhibit 20 Bates number G011542 181

10Exhibit 21 Bates number G010294 183

11Exhibit 22 Louis Pia 216(b) 191

12Declaration

13Exhibit 23 Louis Pia Deposition 194

14Excerpts 1 (76, 99-104)

15Exhibit 24 Bates number G011603 201

16Exhibit 25 Bates number G011859 213

17Exhibit 26 Louis Pia Deposition 248

18Testimony Excerpts 2

19(73-74)

20Exhibit 27 Compilation exhibit 259

21

22

23

24

25

Page 281

1G. CASSAGNE

2C E R T I F I C A T E

3

4I, DANIELLE DeYOUNG, a Shorthand Reporter

5and Notary Public of the State of New York, do

6hereby certify:

7That the WITNESS whose examination is

8hereinbefore set forth, was duly sworn, and

9that such examination is a true record of the

10testimony given by such WITNESS.

11I further certify that I am not related to any

12of the parties to this action by blood or

13marriage; and that I am in no way interested in

14the outcome of this matter.

15

16

17

18

19DANIELLE DeYOUNG

20

21

22

23

24

25

71 (Pages 278 to 281)